



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

[REDACTED]  
Docket No: 7941-17

MAY 17 2019

[REDACTED]  
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552. After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. Consequently, your application was denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. Your request was carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session on 28 January 2019. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.


You enlisted in the Navy and began a period of active duty on 3 November 1980. On 2 January 1983, you began an unauthorized absence (UA) that lasted for 29 hours. On 19 January 1983, you received nonjudicial punishment (NJP) for violation of a lawful order and assault. On 21 June 1983, you received NJP for failure to obey a lawful order. On 2 September 1983, you surrendered from a four-day UA. On 9 September 1983, you received NJP for that UA and missing movement. That same day, you were counseled regarding your three NJPs. On 9 October 1983, you received NJP for again missing movement. On 18 October 1983, you received NJP for another UA. On 17 November 1983, you were convicted by a civilian court of public drunkenness. On 31 January 1984, you were admitted to the Naval Hospital, [REDACTED] for alcohol abuse and were prescribed Antabuse. On 13 March 1984, you completed your alcohol-rehabilitation treatment. On 27 April 1984, you received NJP for a 19-day UA. On 21 June 1984, you received NJP for being drunk in public. On 29 June 1984, you were notified of

administrative separation proceedings and requested a hearing before an administrative discharge board (ADB). The ADB convened on 25 June 1984 and recommended that you be separated with an other than honorable (OTH) characterization of service by reason of misconduct due to a pattern of misconduct. On 6 August 1984, your commanding officer concurred with the ADB's recommendation, and you were separated with an OTH characterization on 24 August 1984. Prior to your separation, you elected, on 22 August 1984, not to request in-patient treatment at a Veterans Administration (now Department of Veterans Affairs) hospital.

The Board carefully weighed all potentially mitigating factors, such as your otherwise commendable service, your post-discharge impoverishment, employment problems, homelessness, and medical issues, and your desire to upgrade your characterization of service, as well as your assertions that your disciplinary problems resulted from your lifelong struggle with alcoholism. The Board also considered your assertion that, based upon current military standards, you would have received additional interventions and treatment, or a medical discharge, rather than an OTH discharge. The Board also considered your assertion that your aftercare was hindered by being away from port so much, but noted that alcohol is not allowed onboard Navy ships and that there was no evidence you sought help from the ship's staff for your alcoholism. Also, there was no evidence to support your claim that you would have received intervention, treatment, and a medical discharge in lieu of an administrative discharge for your misconduct. The Board thus concluded that these factors and assertions were not sufficient to warrant a change to your discharge given your repeated misconduct, which resulted in eight NJPs.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new matters. New matters are those not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

  
Executive Director